

## NOTICE OF FILING AND PUBLIC HEARING

D.T.E. 04-106

Petition of Western Massachusetts Electric Company, pursuant to General Laws Chapter 164, § 94, and 220 C.M.R. §§ 5.00 et seq. for approval of a rate settlement effective January 1, 2005.

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Western Massachusetts Electric Company (“WMECo” or “Company”) has filed a petition with the Department of Telecommunications and Energy (“Department”) seeking approval of a rate settlement agreement (“Settlement”) entered into with the Attorney General of the Commonwealth of Massachusetts and the Associated Industries of Massachusetts (collectively, “Parties”). The Department docketed this matter as D.T.E. 04-106.

The Settlement provides that (1) the Company’s distribution rates will increase by \$6.0 million effective January 1, 2005 and by an additional \$3.0 million effective January 1, 2006, and (2) the Company’s transition charge will decrease from \$0.00828 per kilowatthour (“KWH”) to approximately \$0.005 per KWH effective January 1, 2005. The Company states that the proposed Settlement was filed in lieu of a base rate proceeding that WMECo would have filed seeking a distribution rate increase of \$16.931 million.

If the Settlement is approved, the proposed rates in 2005 will result in:

- a residential electric non-heating customers using 500 KWH of electricity per month seeing a \$0.21 per month bill decrease.
- a residential heating customer using 1,500 KWH of electricity per month seeing a \$0.63 per month bill decrease.

Bill impacts for commercial and industrial customers will vary. For specific impacts, please contact the Company as shown below.

A copy of the petition is available for public viewing during regular business hours at the Company’s offices, One Federal Street, Building 111-4, Springfield, Massachusetts 01105, and at the offices of the Department, One South Station - 2<sup>nd</sup> Floor, Boston, Massachusetts 02110. For further information on the Company’s petition, please contact Company representative

Stephen Klionsky, Esq., Western Massachusetts Electric Company, 100 Summer Street, 23rd Floor, Boston, Massachusetts 02110-2131, 617-345-1066.

The Department has scheduled a public hearing to receive comment on the Company's proposal:

**Wednesday, December 15, 2004, at 7:00 p.m.**

The Berkshire Athenaeum  
Pittsfield Public Library  
One Wendell Avenue  
Pittsfield, Massachusetts

Persons interested in commenting on the Company's filing may appear at the public hearing or file written comments with the Department by the close of business (5:00 p.m.) on

**Wednesday, December 15, 2004.**

Any person who desires to participate in the evidentiary phase of this proceeding must file a written petition for leave to intervene with Mary L. Cottrell, Secretary, Department of Telecommunications and Energy, One South Station - 2<sup>nd</sup> Floor, Boston, Massachusetts 02110, not later than 5:00 p.m. on **Thursday, December 2, 2004**. A petition for leave to intervene must satisfy the timing and substantive requirements of 220 C.M.R. § 1.03. Receipt by the Department, not mailing, constitutes filing and determines whether a petition has been timely filed. A petition filed late may be disallowed as untimely, unless good cause is shown for waiver pursuant to 220 C.M.R. § 1.01(4). To be allowed, a petition under 220 C.M.R. § 1.03(1) must satisfy the standing requirements of G.L. c. 30A § 10. A procedural conference will be held in Boston at the Department's offices at 2:00 p.m. on

**Friday, December 3, 2004.**

Written comments or petitions to intervene also should be submitted to the Department in electronic format using one of the following methods: (1) by e-mail attachment to [dte.efiling@state.ma.us](mailto:dte.efiling@state.ma.us); or (2) on a 3.5" disk, IBM-compatible format. The text of the e-mail or the disk label must specify: (1) the docket number of the proceeding (D.T.E. 04-106); (2) name of the person or company submitting the filing; and (3) a brief descriptive title of the document. The electronic filing should also include the name, title, and phone number of a

person to contact in the event of questions about the filing. Text responses should be created in either Corel WordPerfect, Microsoft Word, or as an Adobe-compatible PDF file. Data or spreadsheet responses should be compatible with Microsoft Excel. All written pleadings or comments submitted in electronic format will be posted on the Department's Website, <http://www.mass.gov/dte>.

## ORDER OF NOTICE

D.T.E. 04-106

Petition of Western Massachusetts Electric Company, pursuant to General Laws Chapter 164, § 94, and 220 C.M.R. §§ 5.00 et seq. for approval of a rate settlement effective January 1, 2005.

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Western Massachusetts Electric Company (“Company”) is required to publish the attached legal notice in either the Boston Globe or the Boston Herald once at least twenty-one (21) days prior to December 15, 2004 and once again seven (7) days prior to December 15, 2004. The Company is also required to publish the attached legal notice in the Berkshire Eagle, and the Springfield Republican, once at least fourteen (14) days prior to December 15, 2004 and once again seven (7) days prior to December 15, 2004.

The Company is required to give notice of this proceeding to the Chairmen of the Boards of Selectmen, Town Clerks, Mayors, and City Clerks of the attached list, the service list in Western Massachusetts Electric Company, D.P.U. 97-120 (1998) and Western Massachusetts Electric Company, D.P.U. 91-290 (1992), and to make return of service and publication at the time of the first public hearing.

By Order of the Department,

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Mary L. Cottrell, Secretary